IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

W.P. Nos. 15041, 15178, 15366, 15522, 23169, 22172 and 22530 of 2004

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(1) WRIT PETITION NO : 15041 of 2004

Between:

1 K. Venkateswarlu, S/o. Late Kumaraiah, Hindu,
Farmers Service Cooperative Society, Chandur, Chandur (M), Nalgonda District.
2 N. Hanumantha Rao, S/o. Late Narasimha, Hindu,
Farmers Service Cooperative Society, Chandur, Chandur (M), Nalgonda District.
3 G. Ramulu, S/o. Late Jaganadham,, Hindu,
Farmers Service Cooperative Society, Chandur, Chandur (M), Nalgonda District.

..... PETITIONERS

AND

1 The Government of Andhra Pradesh, Co-operation Department,
Rep. by its Secretary, Secretariat, Hyderabad.
2 The Branch Manager, Munugodu, Nalgonda,
District Cooperative Central Bank Limited, Rep. by its Chairman,
Person-in-Charge Committee, FSCS, Chandur, Nalgonda District.
3 The Supervisor, Munugodu, Nalgonda,
District Cooperative Central Bank Limited, Rep. by its Person-in-Charge Committee, FSCS, Chandur, Nalgonda District.
4 PIC Member, FSCS , Chunduru,
Rep. by its Co-op Sub-Registrar, Auditor, Nalgonda District, Cooperative Audit Office, Nalgonda.
5 The District Cooperative Officer, FSCS, Nalgonda, Nalgonda District.
6 The Divisional Cooperative Officer, FSCS, Nalgonda, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction more particularly a Writ in the nature of Mandamus under Article 226 Constitution of India, declaring the action of the respondents 2,3 and 4 by issuing the impugned notice dated 30-07-2004 by reducing the regular monthly salaries of the petitioners, though the said GO. is not applicable to the petitioners Society by converting the existing pay scales into consolidated amount is illegal, improper, consequently the impugned notice dated 30-07-2004 is hereby set aside the declared as null and void.

Counsel for the Petitioners: SMT.Akella Padma

Counsel for the Respondents: GP FOR COOPERATION

(2) WRIT PETITION NO : 15178 of 2004

Between:

1 Sri P. Vijaya Bhaskar Reddy S/o. Lakshma Reddy
Farmers Service Co.Op.Society, Thungathurthy, Thungathurty (M), Nalgonda District.
2 V. Venkateswarlu S/o. Vishwanatham,
Farmers Service Co.Op.Society Thungathurthy, thungathurthy (M), Nalgonda District.
3 N. Narsaiah S/o. Aravapalle,
Farmers Service Co.Op.Society, Thungathurthy, Thungathurty (M), Nalgonda District.

..... PETITIONERS

AND

1 The Government of A.P., Co.operation Dept., rep. by its Secretary, Secretariat, Hyderabad.
2 The Branch Manager, Nalgonda Dist. Co-Op Central Bank Ltd.,
rep. by its Chairman, Person-in-charge Committee, FSCS,
Thungathurthy, Nalgonda District.
3 The Supervisor, Member, Nalgonda, Dist Co.Op. Central Bank,
Rep. by its PIC, FSCS, Thungathurthy, Nalgonda District.
4 PIC Member, FSCS, Chunduru, rep. by its Co.Op. Sub-Registrar,
Auditor, Nalgonda District, Co.Op. Audit Office, Nalgonda.
5 The District Co.op. Officer, FSCS, Nalgonda, Nalgonda district.
6 The Divisional Co.Op. Officer, FSCS, Nalgonda, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ, Order or direction, more particularly a writ in the nature of Mandamus

under Article 226 Constitution of India, declaring the action of the respondents 2,3, and 4 by issuing the impugned notice proceeding VideNo.i/2004/PIC, Dt. 30.7.2004 by reducing the regular monthly salaries of the petitioners, though the said G.O. is not applicable to the petitioners Society by converting the existing pay scales into consolidated amount is illegal, improper, Consequently the impugned notice proceeding Vide No. I/2004/PIC, Dt. 30.07.2004 is hereby set aside and declared as null and void.

Counsel for the Petitioner: SMT.Akella Padma

Counsel for the Respondents: GP FOR COOPERATION

(3) WRIT PETITION NO : 15366 of 2004

Between:

1 Ch. Hanumantha Rao, S/o. Papaiah, Hindu,
Farmers Service Co.op. Society, Chandur, Chandur (M), Nalgonda District.
2 S. Anantha Rao, S/o. Yadagiri Rao, Hindu,
Farmers Service Co.op. Society, Chandur, Chandur (M), Nalgonda District.

..... PETITIONERS

AND

1 The Government of Andhra Pradesh, Co.operation Department,
represented by its Secretary, Secretariat, Hyderabad.
2 The Branch Manager, Munugodu, Nalgonda, District Coop. Central Bank Ltd.
Represented by its Chairman, Person-in-charge Committee, FSCS,
Chandur, Nalgonda District.
3 The Supervisor, Munugodu, Nalonda, District Co.op Central Bank,
Represented by its PIC, FSCS, Chandur, Nalgonda District.
4 PIC Member, FSCS, Chunduru, represented by its Co.op Sub-Registrar,
Auditor, Nalgonda District, Co.op Audit Office, Nalgonda.
5 The District Co.op. Officer, FSCS, Nalgonda, Nalgonda District.
6 The Divisional Co.op. Officer, FSCS, Nalgonda, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction, more particularly a Writ in the nature of Mandamus under Article 226 Constitution of India, declaring the action of the respondents 2,3 and 4 by issuing the impugned proceedings Rc.No. 1/Munugodu/2004, dated 31-07-2004 by terminating the services of the petitioners who are regular employees of the society, though the said G.O.Ms.No. 94, is not applicable to the petitioners Farmers Service Cooperative Society by issuing the impugned proceeding is illegal, improper, arbitrary and violative of principles of natural justice consequently the impugned proceedings is hereby set aside and declared as null and void.

Counsel for the Petitioner: Smt.Akella Padma

Counsel for the Respondents: GP FOR COOPERATION

(4) WRIT PETITION No : 15522 of 2004

Between:

1 P. Raghunadha Reddy S/o Satya Narayana Reddy
Farmers Service Cooperative Society, Thungathurthy, Thungathurthy (M), Nalgonda District
2 A. Lingaiah S/o Gopaiah
Farmers Service Cooperative Society, Thungathurthy, Thungathurthy (M), Nalgonda District
3 G. Ramulu, S/o Narasaiah
Farmers Service Cooperative Society, Thungathurthy, Thungathurthy (M), Nalgonda District

..... PETITIONERS

AND

1 The Government of Andhra Pradesh, Co.operation Department, rep by Secretary, Secretariat, Hyderabad.
2 The Branch Manager, Nalgonda District, Co.op Central Bank Limited, rep by Chairman, Person-in-Charge Committee, FSCS, Thungathurthy, Thungathurthy (M), Nalgonda District
3 The Supervisor Munugodu, Nalgonda Dist.Co.op Central Bank rep by PIC, FSCS, Thungathurthy, Thungathurthy (M), Nalgonda District
4 PIC Member, FSCS, Chunduru, rep by Co.op Sub-Registrar Auditor, Nalgonda district, Co.op Audit Office, Thungathurthy, Thungathurthy (M), Nalgonda District.
5 The District Co.op Officer, FSCS, Nalgonda, Nalgonda District,
6 The Divisional Co.op Officer, FSCS, Nalgonda, Nalgonda District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, more particularly a Writ in the nature of Mandamus under Article 226 Constitution of India declaring the action of the respondents 2, 3 and 4 by issuing the impugned proceedings Rc. No. 2/PIC/2004 dated 31-07-2004 by terminating the services of the petitioners who are regular employees of the society, though the said G.O.Ms. No. 94 is not applicable to the petitioners Farmers Service Cooperative Society by issuing the impugned proceeding proposing to terminating the services of the petitioners is illegal, improper, arbitrary and violative of Principles of natural justice, consequently the impugned proceedings in hereby set a side and declared as null and void.

Counsel for the Petitioner: Smt.Akella Padma

Counsel for the Respondents: GP FOR COOPERATION

(5) WRIT PETITION NO : 23169 of 2004

Between:

K.Sri Devi, Clerk, w/o late Krishnam Raju,
r/o Palakol, W.G.District.

..... PETITIONER

AND

1 The Government of A.P., rep., by its Secretary, Agriculture & Co.operation Department, Secretariat, Hyderabad.
2 The Divisional Cooperative officer, Bhimavaram, W.G.District.
3 The Chairman, Palakol Cooperative Urban Bank Limited, Palakol, W.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus, or any other appropriate writ, order or direction, declaring the action of the respondents herein in terminating the service of the petitioner without following due process of law and without noticing that the petitioner was appointed on compassionate grounds, and though the Act 2 of 1994 has no application, and as such the termination order in Proc.No.R.C.No.1/PKL CUB/14, dt.30-10-2004 as illegal, unjust, and arbitrary, against to the principles of natural justice as such liable to be set aside in the interest of justice and further directing the respondents to continue the petitioner by paying all the wages.

Counsel for the Petitioner: MR.S.M.SUBHAN

Counsel for the Respondents: GP FOR COOPERATION

(6) <u>WRIT PETITION NO : 22172 of 2004</u>

Between:

1. K.Venkateswarurlu S/oMaraiah, Secretary Rayangudem PACS Ltd.,
R.No.62 TP Garide Pally Mandal,
Nalgonda Dist.
2 Ch.Prathap Rao S/o.Narasimha Rao, Secretary, Dirchincerla PACS Ltd.
R.No.1128 Nereducherla (M),
Nalgonda Dist.
3 V.Satyanarayana S/o.Pitchaiah, Secretary, Palakeedu PACS Ltd.,
R.No.1312 Nereducherla (M),
Nalgonda Dist.
4 Syed Rahaman Ali S/o.Subhan Ali, Secretary, Velidenda PACS Ltd.
R.No.5665 Garide Pally Mandal,
Nalgonda Dist.
5 K.Rami Reddy S/o.Veera Reddy, Secretary, Sarvaram PACS Ltd.,
R.No.96 TP Garide Pally Mandal,

Nalgonda Dist.

..... PETITIONERS

AND

1 The Government of Andhra Pradesh Agriculture&Cooperation, rep by its Principal Secretary, Secretariat, Hyderabad.
2 The Commissioner for Cooperation& Registrar of Cooperative Societies A.P, Gruhakalpa Buildings, Nampally, Hyderabad- 500 001.
3 The Divisional Cooperative Officer, Nalgonda. Nalgonda Dist.
4 Primary Agricultural Coop Society Ltd., R.No.62 TP Rayangudem (V), Garedipally (M), Nalgonda District, rep. by its PIC Chairman.
5 Primary Agricultural Coop So., Ltd., R.No.1128 TP Dirchincerla (V), Neruducherla (M), Nalgonda District, rep. by its PIC Chairman.
6 Primary Agricultural Coop Society Ltd., R.No.1312 TP Palakeedu (V), Neruducherla (M), Nalgonda District, rep. by its PIC Chairman.
7 Primary Agricultural Coop Society Ltd., R.No.5665 Velidenda (V), Garedipally (M), Nalgonda District, rep. by its PIC Chairman.
8 Primary Agricultural Coop Society Ltd., R.No.96 TP Saravaram (V), Garedipally (M), Nalgonda District, rep. by its PIC Chairman.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly in the nature of writ of Mandamus declaring the order No.14/04 dt.27/7/2004 of the 4th respondent i.e. Primary Agricultural Cooperative Society Ltd., R.No.62 TP, Rayangudem(V) Garedipally Mandal,Nalgonda Dist, orders No.19/04 dt 28/7/2004 of the 5th respondent i.e. Primary Agricultural Cooperative Society Ltd., R.No.1128, Dirchincerla (V) Nereducherla Mandal, Nalgonda District, orders No. Nil dt.28-7-2004 of the 6th respondent i.e. Primary Agricultural Cooperative Society Ltd, R.No.1312, Palakeedu (V), Nereducherla Mandal, Nalgonda Dist, orders No.2/04 dt 27-7-2004 of the 7th respondent i.e. Primary Agricultural Cooperative Society Ltd, R.No.5665,Velidenda (V) Garidepally Mandal, Nalgonda Dist and orders No.13/04 dt.27/7/2004 of the 8th respondent i.e Primary Agricultural Coop So., Ltd, R.No.96 TP,Sarvaram (V), Garidepally Manal, Nalgonda Dist, as per orders of the 1st respondent in G.O.Ms.No.94 Agriculture and Cooperation (Coop VI) Dept, dt 28-2-2004 as without jurisdiction arbitrary violative of the provisions of Sec 116 -C(1) of the A.P. Cooperative Societies Act 7 of 1964 contrary to the provisions of principles of natural justice, violative of he provisions of Minimum Wages Act 1948 besides being hitting Articles 16 & 21 of the Constitution of India and liable to be set aside.

Counsel for the Petitioner: MR.T.A.KUMAR

Counsel for the Respondents: GP FOR AGRICULTURE

(7) WRIT PETITION No : 22530 of 2004

Between:

1 K. Venkateswarlu, S/o. Maraiah, Secretary Rayangudem PACS Ltd R.No.62 TP, Garide Pally, Nalgonda District.
2 Ch. Prathapa Rao, S/o. Narasimha Rao, Secretary, Dinchincerla PACS Ltd R.No.1128, Nereducherla Mandal, Nalgonda District.
3 V. Satyanarayana, S/o. Pitchaiah, Secretary, Palakeedu PACS Ltd. R.No.11312 Nereducherla Mandal, Nalgonda District.
4 Syed Rahman Ali, S/o. Subhan Ali, Secretary, Velidenda PACS, Garedipally Mandal, Nalgonda District.
5 K. Rami Reddy, S/o. Veera Reddy, Secretary, Sarvam PACS Ltd. R.No.96 Garedipally Mandal, Nalgonda District.

..... PETITIONERS

AND

1 The Government of A.P., Agriculture & Cooperation, rep. by its Principal Secretary, Secretariat, Hyderabad.
2 The Commissioner for Cooperation & Registrar of Co-Op - Societies, A.P., Gruhakalpa, Buildings, Nampally, Hyderabad -500 001.
3 The District Cooperative Officer, Nalgonda, Nalgonda District.
4 Nalgonda District Coop Central Bank Ltd., Nalgonda, Nalgonda District, rep. by its General Manager.
5 Divisional Cooperative Officer, Nalgonda, Nalgonda District.
6 Primary Agricultural Coop., Society Ltd., R.No. 62 TP Rayangudem (V), Garedipally Mandal, Nalgonda Distrit, rep. by its PIC Chairman.
7 Primary Agricultural Cooperative Society Ltd., R.No.1128 Dirchincerla (V), Neruducherla Mandal, Nalgonda District, rep. by its PIC Chairman.
8 Primary Agricultural Cooperative Society Ltd., R.No.11312, Palakeedu (V), Neruducherla Mandal, Nalgonda District, rep. by its PIC Chairman.
9 Primary Agricultural Cooperative Society Ltd., R.No. 5665, Velidenda (V), Garedipally Mandal, Nalgonda District, rep. by its PIC Chairman.
10 Primary Agricultural Cooperative Society Ltd., R.No. 96 TP Saravaram (V), Garidepally Mandal, Nalgonda District, rep. by its PIC Chairman.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly in the nature of writ of mandamus declaring the instructions dt. 25.2.2004 of the 3rd respondent i.e., the District Cooperative officer, Nalgonda, Nalgonda district and instruction dt. 27.7.2004 of the 4th respondent i.e., the Divisional Cooperative Officer, Nalgonda, Nalgonda District

and the consequential Proceedings Rc.No.14/04 dt. 27.7.2004 of the 6th respondent i.e., primary Agricultural Cooperative Society ltd., R.No.62 TP, Rayangudem (V) Garedipally Mandal, Nalgonda District Proceedings RC No. Nil Dt. 28.7.2004 of the 7th respondent i.e., Primary Agricultural Cooperative Society Ltd., R.No. 1128, Dirchincerla (V() Nereducherla Mandal, Nalgonda District, Proceedings No. Nil dt. 28.7.2004 of the 8th respondent i.e., Primary Agricultural Cooperative Society Ltd., R.No. 1312, Palakeedu (V), Nereducherla Mandal, Nalgonda District, proceedings Rc. No. 2/04 dt. 27.7.2004 of the 9th respondent i.e. Primary Agricultural Cooperative Society Ltd., R.No. 5665, Velidenda (V) Garedipally Mandal, Nalgonda District and Proceedings Rc. No. 13/04 dt. 27.7.2004 of the 10th respondent i.e., Primary Agricultural Cooperative Society Ltd., R.No.96 TP, Sarvaram (V), Garidepally Mandal, Nalgonda District, as without jurisdiction, without application of mind, arbitrary contrary to the cardinal of principles of natural Justice, violative of the disciplinary rules besides being hitting Articles 16 & 21 of the Constitution of India and liable to be set aside.

Counsel for the Petitioners: MR.T.A.KUMAR

Counsel for the Respondent: GP FOR AGRICULTURE

The court at the admission stage made the following:

The Hon'ble Sri Justice

K.C. Bhanu

W.P. Nos. 15041, 15178, 15366, 15522, 23169,

22172 and 22530 of 2004

COMMON ORDER:

Since common question of law is involved in all these writ petitions, they are being disposed of by a common order:

W.P. Nos. 15041 and 15178 of 2004 are filed challenging the action of the respondents 2, 3 and 4 in issuing the impugned notice dated 30.7.2004 by reducing the regular monthly salaries of the petitioners as illegal and arbitrary. Whereas, W.Ps. 15366, 15522 and 23169 of 2004 are filed challenging the action of the respondents therein in issuing the impugned proceedings by terminating the services of the petitioners who are regular employees of the society and W.Ps. 22172 and 22530 of 2004 are filed seeking

to declare the instructions/orders of the respondents-authorities dated 25.2.2004, 27.7.2004, 28.7.2004 as illegal and violative of the disciplinary rules besides being hitting Articles 16 and 21 of the Constitution of India and that G.O.Ms.No.94 dated 28.2.2004 is contrary to the principles of natural justice.

Several contentions are raised by the learned counsel for the petitioners in this batch of writ petitions, namely, that the Primary Agricultural Cooperative Societies are not paying the salaries to the petitioners on the pretext of amendment to Section 116-C (1) of the A.P. Cooperative Societies Act and the pay-scales of some of the petitioners have been fixed long back and without giving any notice the impugned orders have been issued fixing the consolidated pay. The proposals of the staffing pattern and their pay-scales are approved by the Managing Committee. Hence the learned counsel for the petitioner prays to allow the writ petitions.

Learned counsel for the petitioner in W.P.22172 of 2004 contended that G.O.Ms.No.94 dated 28.2.2004 issued by the 1st respondent is contrary to the principles of natural justice; that there is a clear violation of provisions of the Minimum Wages Act and therefore the writ petition may be allowed.

On the other hand, learned Government Pleader for Cooperation contended that the writ petitions are not maintainable and the respondent-Society shall have power to fix the staffing pattern and pay-scales in pursuance of Section 116-C of the Act and that the Cooperative Societies can also fix the salaries of the employees subject to 2% of the working capital or 30% of the gross profits, whichever is less. He further contended that the criteria to fix the staffing pattern and the salaries will depend upon the size, working capital, gross profits etc. of the respective societies and hence fixing the consolidated pay or termination of the employees of the societies when the financial position of the societies is critical cannot be said to be violative of the rights of the petitioners. Hence, he prays to dismiss the writ petitions.

Section 116-C was inserted to the Statute by way of amendment (Act 21 of 1985) with a view to streamline the general working conditions of the respondent-society. Section 116-C (1) of the A.P. Cooperative Societies Act, 1964 reads as follows:

"A society shall have power to fix the staffing pattern, qualifications, pay scales and other allowances for its employees with the prior approval of the Registrar of Cooperative Societies subject to the condition that expenditure towards pay and allowances of the employees shall not exceed two per cent of the working capital or thirty per cent of the gross profit, in terms of actuals in a year whichever is less".

The above provision makes it clear that the respondent-society is empowered to fix the staffing pattern, qualification, pay-scales and other allowances for its employees with the prior approval of the Registrar of the Cooperative Societies. As per the above provision, the expenditure towards pay and allowances of the employees shall not exceed 2% of the working capital or 30% of the gross profits in terms of actuals in a year whichever is less. It is also not disputed before this court that Section 116-C and the other provisions were upheld by this court as constitutional. Therefore, the petitioners are bound by the provisions of Section 116-C. It is not the specific case of the petitioners that fixation of salaries to some of the petitioners by reducing into consolidated pay is contrary to Section 1116-C of the Act. The object of amending the said provision is to meet the needs of the Management of the Society for pay and allowances of the employees from out of the income derived from the borrowed funds from the District Cooperative Central Bank. On account of high expenditure and poor recovery, the societies have loan outstanding from the members. They could not pay the borrowed funds from the District Cooperative Central Bank. Therefore, the scheme seems to be to control the expenditure to be incurred on the staff which has direct nexus with the profits earned by the Cooperative Societies on the working capital. As the said provision is upheld by this court, it is not open for the petitioners to

say that the respondents have no power to fix the salaries.

The respondents-societies filed counter affidavits. It is stated by the respondent-Divisional Cooperative Officer in his affidavit that during the years 2001-02 and 2002-03 the Society in which the petitioners are working suffered accumulative loss of Rs.27.04 crores and Rs.34.23 crores respectively. Therefore, to implement the provisions of G.O.Ms.No.94 dated 28.2.2004 necessarily the present salaries of the staff of the society are to be reduced to an extent of loan allowable to the society. Therefore, under no stretch of imagination it can be said that the respondent-society is getting profits. If the respondents are reducing the pay or fixing the consolidated pay not taking into account 2% of the working capital or 30% of the gross profits whichever is less, then it would amount to violation of the statutory provisions.

Insofar as retrenchment of some of the employees is concerned, since there is no mention about retrenchment of an employee under Section 116-C, Section 116-C applies only for the purpose of fixing the staffing pattern and pay-scales subject to proposals sent by the concerned societies. It is for the societies to fix the pay-scales subject to not exceeding 2% of the working capital or 30% of the gross profits whichever is less. The main grievance of the petitioners in these writ petitions who are retrenched is non-compliance of the provisions of the Industrial Disputes Act and the Shops and Establishments Act. A learned single Judge of this court in batch of writ petitions, namely, W.P. 3171 of 2003 and Batch dated 30.8.2004 after considering similar arguments which were advanced in these writ petitions, held “to implement the said mandatory provision the concerned societies have to necessarily take appropriate action fixing the staffing pattern, pay and allowances and in that process it is open for them to retrench/remove the surplus employees who are working contrary to the provisions of Section 116-C(1) of the Act. If any employee is retrenched or terminated

contrary to the provisions of Section 25F of the Industrial Disputes Act or Section 47 of the A.P. Shops & Establishments Act as the case may be, it is open for them to seek appropriate relief provided under the said Act". It is further held "It is mandatory on the part of the respondents-Primary Agricultural Cooperative Societies to fix the staffing pattern, pay and allowances and that the expenditure towards pay and allowances shall not exceed 2% of the working capital or 30% of the gross profits whichever is less. As the petitioners failed to show that the salaries to be payable to the staff are within the limits prescribed in Section 116-C, in the absence of violation of the provisions of Section 116-C of the Act the petitioners cannot say that the respondents without any authority revised the staffing pattern".

The said decision of the learned single Judge is confirmed by a Division Bench of this court in W.A.163 of 2005 and Batch, dated 7.2.2005, which is also not disputed. Several contentions raised in these writ petitions, namely, maintainability of the writ petition, retrenchment of the employees, staffing pattern and G.O.Ms.No.94 dated 28.2.2004 were also raised in the said batch of writ petitions and all those contentions were rejected by this court.

Since the points raised in these writ petitions are already covered, following the said judgment dated 30.8.2004 in W.P.3171 of 2003 & Batch as confirmed in W.A. 163 of 2005 & Batch dated 7.2.2005, all these writ petitions are devoid of merit and they are dismissed accordingly holding that whether the employee is terminated or retrenched contrary to Section 25F of the Industrial Disputes Act or Section 47 of the A.P. Shops & Establishment Act, it is open for them to seek appropriate relief provided under the said Acts.

K.C. Bhanu, J.

Date: --02—2005.

MVB.

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary, Cooperation Department, The Government of A.P. Secretariat, Hyderabad.

2. The Principal Secretary, Agriculture & Cooperation, Government of A.P., Secretariat, Hyderabad.
3 The Commissioner for Cooperation& Registrar of Cooperative Societies A.P, Gruhakalpa Buildings, Nampally, Hyderabad- 500 001.

4 The District Cooperative Officer, FSCS, Nalgonda, Nalgonda District.
5 The General Manager, Nalgonda District Coop Central Bank Ltd., Nalgonda, Nalgonda District,
6 The Divisional Cooperative Officer, FSCS, Nalgonda, Nalgonda Dist.
7 The PIC Chairman, Primary Agricultural Coop Society Ltd., R.No.62 TP Rayangudem (V), Garedipally (M), Nalgonda Dist.
8 The PIC Chairman, Primary Agricultural Coop Society Ltd., R.No.1128 TP, Dirchincerla (V), Neruducherla (M), Nalgonda Dist.
9 The PIC Chairman, Primary Agricultural Coop Society Ltd., R.No.1312 TP, Palakeedu (V), Neruducherla (M), Nalgonda Dist.
10. The PIC Chairman, Primary Agricultural Coop Society Ltd., R.No.5665 Velidenda (V), Garedipally (M), Nalgonda Dist.
11. The PIC Chairman, Primary Agricultural Coop Society Ltd., R.No.96 TP Saravaram (V), Garedipally (M), Nalgonda Dist.

12. The Divisional Cooperative officer, Bhimavaram, W.G.District.
13. The Chairman, Palakol Cooperative Urban Bank Limited, Palakol, W.G.District.

14. The Chairman, Person-in-charge Committee,

The Branch Manager, Munugodu, Nalgonda,
District Cooperative Central Bank Limited, FSCS, Chandur, Nalgonda District.
15. The Person-in-charge Committee,

The Supervisor, Munugodu, Nalgonda,
District Cooperative Central Bank Limited, FSCS, Chandur, Nalgonda District.
16. The Cooperative Sub-Registrar, PIC Member, FSCS , Chunduru,
Auditor, Nalgonda District, Cooperative Audit Office, Nalgonda.

17. Two C.Cs. to the Government Pleader for Cooperation, High Court Buildings, Hyderabad (OUT).

18. Two C.Cs. to the Government Pleader for Agriculture, High Court Buildings, Hyderabad (OUT).

19. The Chairman, Person-in-charge committee, The Branch Manager, Nalgonda Distrrict Cooperative Central Bank Limited, FSCS, Thungathurthy, Thungathurthy (M), Nalgonda District.

20. The Supervisor, Member, Nalgonda District Cooperative Central Bank, PIC, FSCS, Thungathurthy, Thungathurthy (M), Nalgonda District.

21. The Cooperative Sub Registrar, Auditor, The PIC Member, FSCS, Chunduru Cooperative Audit Office, Thungathurthy, Thungathurthy (M), Nalgonda District.

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